

In re Application of: Doron Shabat et al
 Serial No.: 10/525,951
 Filed: February 28, 2005
 Office Action Mailing Date: June 13, 2008

Examiner: Trevor M. Love
 Group Art Unit: 4131
 Attorney Docket: 29195

REMARKS

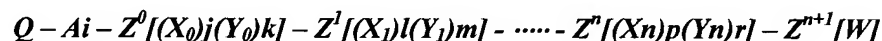
Preliminary Amendment

Applicant has chosen to add new claims 162-175, pertaining to self-immolative dendrimers comprising a cleavable trigger unit.

Specifically, new claims 162-175 depend from independent claim 1 and pertain to the self-immolative dendrimer of claim 1, having the general formula III.

As recited at the first paragraph of page 31 of the instant application:

"The SIDs of the present invention can therefore be presented by Formula III, as follows:



Formula III

wherein:

n is an integer from 0 to 20;

each of *i*, *j*, *k*, *l*, *m*, *p* and *r* is independently an integer of 0 to 10;

Q is a cleavable trigger unit, as is defined hereinabove;

A is a first self-immolative spacer, as is defined hereinabove;

Z is an integer of between 2 and 6, representing the ramification number of the dendrimer;

X is a self-immolative chemical linker, as is described hereinabove;

Y is a second self-immolative spacer; and

W is a tail unit,

whereas, when *n* equals 0, each of *l*, *m*, *p* and *r* equals 0; and

when *n* equals 1, each of *p* and *r* equals 0.

As has already been mentioned hereinabove, the ramification number of the SIDs of the present invention, represented by *Z* in Formula III is preferably 2 or 3, yet can also be 4 or 5. The tail units *W* are preferably functional moieties, as is defined and described hereinabove.

The number of generations of the SIDs, *n*, is preferably 1-10, more preferably, 2-6".

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Applicant therefore contends that no new subject matter has been added by this amendment.

Applicant has further noticed that claims 120 and 121 erroneously depend from claim 87 instead of claim 119 and has chosen to correct this obvious-to-correct typographical error.

Applicant therefore contends that no new subject matter has been added by this amendment.

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Election/Restriction

The Examiner has stated that restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I – claims 1-34 and 54-83, drawn to a self-immolative dendrimer comprising cleavable trigger unit;

Group II – claims 35-53 and 84-101, drawn to a drawn to a self-immolative dendrimer of general formula III;

Group III – claim 102, drawn to an agricultural composition as in claim 33;

Group IV – claims 103-118, drawn to a method of treating a disorder;

Group V – claim 119, drawn to a method of determining a concentration of a chemical reagent;

Group VI – claims 120-121 (please see Applicant's remark below);

Group VII – claim 122, drawn to a method of determining a concentration of a chemical reagent;

Group VIII – claims 123-129 and 131, drawn to a method of synthesizing a first generation self-immolative dendrimer;

Group IX – claims 130 and 132-136, drawn to a method of synthesizing a first generation self-immolative dendrimer;

Group X – claims 137-146, drawn to a method of synthesizing a Nth degree dendrimer;

Group XI – claims 147-160, drawn to a method of performing a diagnosis; and

Group XII – claim 161, drawn to a self-immolative dendrimer.

Applicant hereby elects **Group I, claims 1-34 and 54-83**, drawn to a self-immolative dendrimer comprising cleavable trigger unit.

Applicant believes that New claims 162-175, which depend from claim 1, should also be included in elected Group I.

Applicant therefore contends that claims readable on the elected invention in **Group I** are claims **1-34, 54-83 and 162-175**.

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Regarding Group VI, Applicant wishes to note that upon amending claims 120 and 121 to depend from claim 119, as indicated in Applicant's remarks under the "Preliminary Amendment" subsection, it is clear that claims 120 and 121 do not represent a separate invention and should be recited within Group V.

The Examiner has further stated that the application contains claims directed to more than one species of the generic invention and that Applicant is required to elect a single species.

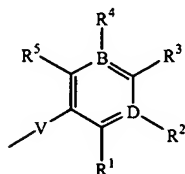
In the absence of clear indications as to what features should be represented in the selected species, Applicant has chosen to select the following species:

A self-immolative dendrimer comprising:

- (i) an enzymatically cleavable trigger unit;
- (ii) a plurality of tail units that comprises a diagnostic agent as a functional moiety;
- (iii) a self-immolative chemical linker having the formula Ib; and
- (iv) a self-immolative spacer having the formula IIa.

A more particular selection of species, if required, includes:

- (iii) a self-immolative chemical linker having the formula Ib:



Formula Ib

wherein:

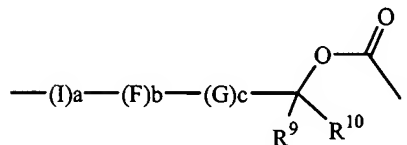
V is O or S;

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each of B and D is a carbon atom;

each of R¹ and R⁵ is



each of R², R³ and R⁴ is independently hydrogen or alkyl;

each of a, b and c equal 0; and

each of R⁹ and R¹⁰ is independently hydrogen or alkyl.

A still more particular selection of species includes Compound 57 (see, Figure 31), which is a 2nd generation self-immolative dendrimer that has four *p*-nitroaniline tail units as a diagnostic agent; phenylacetic acid, a substrate for penicillin amidase, as an enzymatically cleavable trigger unit; and a self-immolative spacer and a self-immolative linker having Formulae Ib and IIa, respectively.

Claims in Group I that read on the elected species include claims 1-8, 12, 15-25, 30, 31, 54, 56-62, 66, 69, 70-79, 82, 83, 162-166, 168 and 171-175.

Applicant reserves the right to file, at a later date, additional divisional applications claiming priority from the present application which are directed to the non-elected Groups.

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An early and favorable action is respectfully requested.

Respectfully submitted,



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Enclosures:

- Petition for Extension (One Month)
- Additional Claims Transmittal Fee